

### ***REMARKS***

Claims 1-20 are rejected. Reconsideration of the claims is requested in light of the following remarks.

Claims 1-20 are pending in this office action prior to entering this amendment.

The examiner rejects claims 1-13 and 17-19 under 35 U.S.C. § 103(a) as unpatentable over Vargo et al (U.S. Pat. No. 6,356,545) in view of Bauer et al. (U.S. Pub. No. 2001/0008556 A1) and Riddle (U.S. Pat. No. 6,175,856). The examiner also rejected claims 14-16 and 20 as being unpatentable over Schuster et al (U.S. Pat. No. 6,483,600) in view of Riddle and Bauer and Blomfield-Brown (U.S. Pat. No. 5,625,678) and the specification on pages 1-4 and FIG. 2.

The applicants amend claims 1, 5-9, 11, 17, and 19.

The applicants cancel claims 14-16 and 20 without prejudice.

Claims 1-13 and 17-19 remain after entering this amendment.

The applicants add no new matter and request reconsideration.

### ***Claim Rejections – 35 USC § 103***

#### **Vargo in view of Bauer and Riddle: Claims 1-13 and 17-19**

Claims 1-13 and 17-19 are rejected as obvious over Vargo in view of Bauer and Riddle. The applicants traverse the rejection for the reasons that follow.

Applicants agree with the examiner that Vargo does not disclose that during communications between a remotely located device and a DSP module, the DSP module can renegotiate the use of a second type of codec and switch to using the second codec upon detection of signal degradation where the type of codec may be repeatedly, mutually, renegotiated to dynamically change compression techniques and the DSP can switch between the codecs during a call.

Riddle discusses a method and apparatus for dynamic selection of compression processing during teleconference call initiation. Riddle discusses a change in codec improving data transmission after the loss of a transmission channel or bus thus requiring switching to a different transmission medium at column 11, lines 1-5. However, Riddle does not disclose that during communications between the remotely-located device and the DSP module, the DSP module is to renegotiate the use of a second type of codec upon detection of signal degradation based on statistics from the DSP module and wherein the type of codec being utilized may be

repeatedly, mutually, renegotiated to dynamically change compression techniques and switching between the codecs is performed during a call.

Bauer discusses a method and apparatus for dynamically allocating bandwidth utilization in a packet telephony system. Bauer involves a separate network monitoring agent that monitors network conditions, such as traffic volume, and determines when to dynamically adjust the encoding scheme for one or more connections. Bauer does not disclose that during communications the remotely-located device and the DSP module renegotiate the use of a second type of codec and may switch to the second type of codec upon detection of signal degradation based on statistics from the DSP module and wherein the type of codec being utilized may be repeatedly, mutually, renegotiated to dynamically change compression techniques and switching between the codecs is performed during a call.

Therefore Vargo, in view of Riddle, in further view of Bauer, even in combination do not teach or suggest all of the claim limitations and claim 1 is patentably distinguishable over the prior art. Claims 2-13 ultimately depend from claim 1. Since dependent claims necessarily contain the limitations of claims from which they depend, claims 2-13 are also patentably distinguishable over the prior art.

Claim 17 was amended to more clearly illustrate a method where two routers, upon further detection of signal degradation, repeatedly renegotiate to dynamically change compression. The office action alleged that Bauer teaches this renegotiation of codecs. Bauer does not include a negotiation between two routers or devices. Bauer discusses a separate network monitoring agent "to notify one or both of the devices associated with each connection of changes in the encoding scheme" (see FIG. 2, network monitoring agent 300). Claim 17 is therefore patentably distinguishable over the cited references. Claims 18 and 19 depend from claim 17. Since dependent claims necessarily contain the limitations of claims from which they depend, claims 18 and 19 are also patentably distinguishable over the prior art.

Schuster in view of Riddle and Bauer and Blomfield-Brown: Claims 14-16 and 20

Claims 14-16 and 20 are rejected under 35 USC 103(a) as being unpatentable over U.S. Pat. No. 6,483,600 to Schuster et al ("Schuster") in view of Riddle and in view Bauer and further in view of U.S. Pat. No. 5,625,678 to Blomfield-Brown ("Blomfield") and further in view of

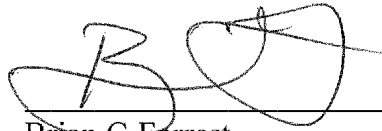
admitted prior art disclosed in the specification on pages 1-4 and FIG. 2. Applicants canceled claims 14-16 and 20 without prejudice.

***CONCLUSION***

For the foregoing reasons, the applicants request reconsideration and allowance of all remaining claims. The examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Brian G. Forrest', is written over a horizontal line.

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